

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Art Unit 2435
Rhoads et al. Confirmation No. 8157
Application No.: 09/476,686
Filed: December 30, 1999
For: PERSONAL AUDIO APPLIANCE
Examiner: H. Song
Date: February 3, 2009

VIA ELECTRONIC FILING

INFORMATION DISCLOSURE STATEMENT

Applicants submit herewith information of which they are aware, and which they believe may be material to the examination of the application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. § 1.56. The information is listed on the attached Form PTO-1449. Copies of the foreign and non-patent publications are attached.

This information disclosure statement is being filed after the mailing date of a First Office Action on the merits and before the first mailing date of Final Office Action (37 C.F.R. § 1.113), or Notice of Allowance (37 C.F.R. § 1.311).

The submission of information on the attached Form PTO-1449 is not intended as an admission that any such information constitutes prior art against the claims of the application under examination. Applicants do not waive any right to take any appropriate action to antedate or otherwise remove any information from the attached Form PTO-1449.

Please charge the fee of **\$180.00** under 37 C.F.R. § 1.17(p) and any additional fees or credit any overpayment in connection with the filing of this Information Disclosure Statement to Deposit Account No. 50-1071.

Respectfully submitted,

Date: February 3, 2009

DIGIMARC CORPORATION

CUSTOMER NUMBER 23735

Phone: 503-469-4800
FAX 503-469-4777

By



Steven W. Stewart
Registration No. 45,133